



**"The City With a Heart"**

Jim Ruane, Mayor  
Michael Salazar, Vice Mayor  
Ken Ibarra, Councilmember  
Rico E. Medina, Councilmember  
Irene O'Connell, Councilmember

**MINUTES**  
**SAN BRUNO CITY COUNCIL**  
**&**  
**SAN BRUNO REDEVELOPMENT AGENCY**

**August 9, 2011**

**7:00 p.m.**

**Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno**

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met on August 9, 2011 at the San Bruno Senior Center, 1555 Crystal Springs Rd., San Bruno, CA. The meeting was called to order at 7:00 p.m.

**Mayor Ruane** thanked the San Bruno Garden Club for the beautiful floral arrangement.

**2. ROLL CALL/PLEDGE OF ALLEGIANCE:** Presiding was Mayor/Chair Ruane, Vice Mayor/Vice Chair Salazar and Council Members/Board Members Ibarra, Medina and O'Connell. Recording by Clerk Bonner. **Assemblyman Jerry Hill** Led the Pledge of Allegiance.

**3. ANNOUNCEMENTS:**

**Mayor Ruane** announced the Regular City Council Meeting of August 23 is cancelled. The only Regular Meeting in August will be held on August 9, 2011.

**Mayor Ruane** announced there would be a one-year anniversary memorial at the Skyline College Quad area on September 9, 2011, in the evening, on or about the time the incident occurred to honor those who died and those who continue to suffer. He said information would be available on the San Bruno City website, at City Hall, the library and in newspapers. He said going forward; the area will be referred to as the Crestmoor (Glenview area.)

**Mayor Ruane** also announced the City will be hosting a one-year Crestmoor (Glenview area) gathering for whoever would like to attend from the City of San Bruno. More information will be posted on the City website, City Hall, the library and newspapers.

**4. PRESENTATIONS:**

**Assemblymember Hill presented** Certificates of Recognition to Councilmembers for their extraordinary leadership.

**5. REVIEW OF AGENDA:** No changes.

**6. APPROVAL OF MINUTES:** City Council Meeting of July 26, 2011. **Clerk Bonner** asked a correction be made to the minutes under 10.b. The addition would be **Councilmember Medina**, referencing the moratorium on marijuana collectives. He stated a ban would take care of this issue, approved as submitted. **M/S Medina/Ibarra** to approve and passed with all ayes.

**7. CONSENT CALENDAR:**

- a. **Approve:** Payroll of July 17, 2011.
- b. **Approve:** Accounts Payable of July 25 and August 1, 2011.

**M/S Medina/Ibarra** to approve and passed with all ayes.

## **8. PUBLIC HEARINGS (Notices have been published, posted and mailed):**

Hold Public Hearing, Waive Reading and Adopt Urgency Ordinance of the City of San Bruno in Order to “Opt-In” and Allow the Continued Existence and Operation of the San Bruno Redevelopment Agency in Accordance with AB1X 27.

**City Attorney Zafferano** explained the necessity to have four members available to vote on an urgency ordinance. **City Clerk Bonner** drew a name from the two members who were previously picked to not participate because of conflict of interest. Eight names were put in a bowl, four for each member. **Boardmember Medina** was picked. **Boardmember Salazar** was recused from this item. Note: For future redevelopment items, Boardmembers Medina and Salazar will be recused because of the original draw.

**Housing and Development Manager Sullivan** gave an overview of the staff report and asked for questions.

**Mayor Ruane** opened the Public Hearing. No one wished to speak.

**M/S Medina/Ibarra** to close the Public Hearing and passed with all ayes. Boardmember Salazar was recused.

**Boardmember Ibarra** said he didn't feel we had a choice. He said we should keep redevelopment.

**M/S Ibarra/Medina** to waive the first reading and passed with all ayes. Boardmember Salazar was recused.

**Boardmember Ibarra** introduced the ordinance and passed with a unanimous vote. Boardmember Salazar was recused.

**Mayor Ruane** said he believed this was a form of extortion and while he was not in favor of it, he didn't believe there was a choice.

## **9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:**

**Barbara Burdette, Oxford Lane** came before Council to question her utility bill and cable bill. She said there could be more fiscal responsibility on the money paid for infrastructure. **Mayor Ruane** responded and explained what the City is trying to do and shared her frustration.

**Robert Riechel, 7<sup>th</sup> Ave.** gave an update on the Mosquito and Vector Control District's ongoing education and outreach program. He said they had a booth at the July 24<sup>th</sup> Farmers' Market where they handed out brochures. He said if residents had any questions they could call the District at (650) 344-8592.

## **10. CONDUCT OF BUSINESS:**

- a. Waive First Reading and Introduce Ordinance Adding Chapter 6.58 to the San Bruno Municipal Code Prohibiting Medical Marijuana Distribution Facilities.

**City Attorney Zafferano** presented a draft ordinance prohibiting medical marijuana distribution facilities in San Bruno. He asked for questions.

**Councilmember Salazar** said there was a distinction between dispensaries and cooperatives, This ordinance was using the term distribution facilities, does this adequately cover both situations? **Zafferano** said in one of the findings it is often hard to distinguish the difference. He said on Page 39 there is an explanation, which includes both definitions.

**O'Connell/Medina** to waive the first reading and passed with all ayes.

**Councilmember O'Connell** introduced the ordinance and passed with a unanimous vote.

b. Adopt Resolution Authorizing the City Manager to Execute a Lease-Purchase Agreement with JP Morgan Chase Bank to Finance the Purchase of a Seagrave Marauder II Fire Apparatus and Appropriating \$344,575 in the Equipment Replacement Fund.

**Finance Director Suen** gave an overview of the staff report highlighting the lease-purchase agreement and asked for questions.

**Councilmember Salazar** asked about the overall health of the equipment reserve fund and the fact it will be pretty much depleted with this purchase. When will this fund be restored and what do we need to save for the next fire engine? **Suen** said the equipment replacement fund identifies individual pieces of equipment and we accumulated some \$340,000 in the reserve funds, not drawing down any more than we saved. He said for seven years there would be lease payments and the fire apparatus has a useful life of fifteen years, dividing out the cost of the new fire apparatus brings it fairly close to the annual lease payment. After the seven years, there will be eight years of accumulating funds into the equipment reserve. **Councilmember Salazar** said it looks like every cycle we will have to finance more? **Suen** said staff would be re-evaluating the needs.

**Vice Mayor Salazar** introduced the resolution for adoption and passed with a unanimous vote.

c. Adopt Resolution Authorizing the City Manager to Execute a Funding Agreement Regarding Preliminary Development of a Decorative Archway for the San Bruno Grade Separation Project and Authorizing Payment to the Peninsula Corridor Joint Powers Board in an Amount Not to Exceed \$125,000.

**Public Services Director Fabry** gave an overview of the staff report and asked for questions.

**Councilmember O'Connell** asked that we don't limit ourselves to just add an arch as a final solution and asked whoever is hired has some flexibility in other design elements that might be more appropriate to our needs. She asked these elements be included when in discussion with the JPG.

**Vice Mayor Salazar** understood that initially the decorative archway was part of the design? **Fabry** said initially when the design was worked on the decision was for a two-track alternative.

**City Manager Jackson** said the pedestrian bridge feature of the original design included an arch-like feature and she understood the pedestrian bridge has been eliminated from the project and determined not to be necessary.

**Councilmember Ibarra** said the intent with the citizens advisory committee was to lay the ground rules for this Citizens Advisory Committee, what is its' charge? We were assured whatever was decided on the JPG they would do everything in their power to assure the grade separation was built the way the City and the citizens advisory committee had hoped it would be. There are many esthetic issues and it came to a point where it was proposed to have a statement. From the start, they were always looking at four tracks and in the eleventh hour they were only looking at two and

that is where the complexity of JPG/Caltrain vs. High Speed Rail began and who would pay for it. He said there needed to be more study with or without four tracks.

**Mayor Ruane** said there was a CAC developed at the delight of the JPG because we were the fifth most dangerous intersection in California.

**Vice Mayor Salazar** said there is still some uncertainty due to high-speed rail coming through San Bruno. He said since this is an esthetic change to the design and given all the other infrastructure projects out of the City, it is hard to endorse something that is strictly cosmetic at this price.

**Councilmember Medina** asked, based on the Vice Mayor's comment, is there anything that can be said as far as staff, cost and uncertainty, what can be said? **Fabry** said this proposal includes three different alternatives for a signature designs.

**City Manager Jackson** said this is a very expensive proposition and it is shared cost with the JPG. Some esthetic design enhancements will be incorporated as part of the project. She said she believed this was only way we protect the opportunity to get the strong architectural statement we have expected.

**Councilmember Ibarra** said eight to ten years of investment of staff and community on a \$167 million project; this needs to be the cherry on top. It will improve the City of San Bruno.

**Vice Mayor Salazar** said we would be voting later on six possible tracks? What is the importance on the timing of this?

**Fabry** said this is a preliminary design and there will be a decision point at the end of the year.

**Vice Mayor Salazar** said at the decision point one of the options could be a two-track design that still incorporates an arched pedestrian walkway. Would that satisfy what we are looking for?

**City Manager Jackson** said this is the decision point where those options would be developed and incorporated into the design. If this authorization is not provided, there will be no option.

**Robert Riechel, 7<sup>th</sup> Ave.** said the citizens were asked, they gave their opinion and they need to be supported.

**Councilmember O'Connell** said whatever we wish to have; it is not something tacked on. We deserve something that is beautiful.

**Councilmember O'Connell** introduced the resolution with some flexibility in the design and passed with ayes and one nay from Councilmember Salazar.

d. Adopt Resolution Authorizing the Pump Station No. 6 Roof Replacement and Holding Tank Refurbishment Project and Appropriating Water Capital Funding in the Amount of \$140,000.

**Public Services Director Fabry** gave an overview of the staff report and asked for questions.

**Councilmember Medina** asked when was the first time the roof started to fail? What is the normal timeline that we recoat? **Fabry** said the roof started to show problems four years ago. She said the normal expectation for the water tanks coating to last fifteen to twenty years depending on the material on the coating used.

**Robert Riechel, 7<sup>th</sup> Ave.** asked if \$140,000 includes contingencies? **Fabry** said it includes contingencies as well as staff time.

**Councilmember Ibarra** asked what constitutes \$80,000 of roof replacement? **Fabry** said it includes replacement of the whole roof.

**Councilmember Salazar** said how long are these roofs good for? **Fabry** said each type has a different life cycle.

**Councilmember Salazar** asked if recoating the tanks make them last for another 20 years? **Fabry** it would be their expectation.

**Councilmember Ibarra** introduced the resolution for adoption and passed with a unanimous vote.

**11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:**

**12. COMMENTS FROM COUNCIL MEMBERS:**

**13. CLOSED SESSION:**

**Mayor Ruane** said they would be going into closed session with no reportable action.

a. Closed Session to Confer with Legal Counsel Regarding Settlement Authority for Workers' Compensation Claim. (Wulff v. City of San Bruno and JT2 Integrated, Workers' Compensation Appeals Board, SFO 0490050) (Cal Gov't Code 54956.9(a).

b. Public Employee Performance Evaluation pursuant to Government Code section 54957: City Attorney.

**14. ADJOURNMENT:**

**Mayor Ruane** closed the meeting at 8:22 p.m. The next regular City Council Meeting will be held on September 13, 2011 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno. He also announced the first anniversary of the Crestmoor-Glenview incident would be on September 9 and 11, 2011.

Respectfully submitted for approval  
at the regular City Council Meeting of  
September 13, 2011

---

Carol Bonner, City Clerk

---

Jim Ruane, Mayor